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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,473	02/06/2001	Ervin F. Johnston		8971
7590	07/31/2007			
Ervin F. Johnston 94 Hakui Loop Lahaina, HI 96761				
			EXAMINER KARMIS, STEFANOS	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 07/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/777,473

Applicant(s)

JOHNSTON, ERVIN F.

Examiner

Stefano Karmis

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3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 84-115 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 84-115 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed 07 May 2007.

Status of Claims

2. Claims 1-83 are cancelled. Claims 84-115 are newly added. Claims 84-115 are currently under prosecution in this application.

Response to Arguments

3. Applicant's arguments with respect to claims 84-115 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 87-89, 95-97, 103-105 and 111-113 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

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had possession of the claimed invention. These claims are directed towards inserting "primary" and "secondary" category items into open fields and sorting bills based on the primary and secondary category items. However, the Examiner cannot find support in the specification of inserting primary or secondary category items or even a plurality of category items for a single bill and Applicant has not provided specific passages supporting these claims. Therefore Applicant was not in possession of claims 87-89, 95-97, 103-105 and 111-113 at the time of the invention. Claims 87-89, 95-97, 103-105 and 111-113 are interpreted to include a single category tag for the bill as discussed in the independent claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 84-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiasson U.S. Publication 2002/0002513 in view of Kitchen et al. (hereinafter Kitchen) U.S. Patent 6,289,322.

Regarding claims 84, 92, 100 and 108, Chiasson teaches a method for an internet hosted bill paying system:

enabling a display of a plurality of fields with some of the fields being filled with transaction data for each transaction on the debtor's computer screen wherein each field, that is

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filled with said transaction data, contains at least a respective part of one of the portions of said transaction data that corresponds to a respective transaction (page 12, paragraph 0111);

upon one or more commands by the debtor, enabling the debtor to insert a plurality of category items selected by the debtor in selected open fields associated with the transactions and display respective selected fields filled with selected category items on the debtor's computer screen (page 11, paragraphs 107-109); and

upon one or more commands by the debtor enabling the debtor to sort the transactions by one or more category items selected by the debtor and display the transactions sorted by said one or more category items on the debtor's computer screen (page 12, paragraph 0111 and paragraph 0114).

Chiasson fails to show a debtor's computer and a debtor's computer screen that is responsive to the debtor's computer, at least one creditor that has a creditor's computer as well as the graphical representation. Kitchen teaches electronic bill processing between a debtor's computer and a creditor computer (Figures 1 and 2). Kitchen also teaches the a graphical representation with buttons for adding categories and viewing or sorting by the categories (Figure 8, 14 and 9A and column 13, line 1 thru 25 and column 13, line 48 thru column 14, line 15). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the category teachings of Chiasson to include the graphical representation and computer network teachings of Kitchen because it allows for the visual representation of bills when paying bills over a computer network.

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Claims 85, 93, 101, 109, Chiasson teaches further comprising the step of: enabling a display of said plurality of category items as category item buttons on the debtor's computer screen so that the debtor can activate selected category item buttons for displaying said selected category items in said selected open fields on the debtor's computer screen (page 11, paragraph 109). Kitchen also teaches enabling a display of said plurality of category items as category item buttons on the debtor's computer screen so that the debtor can activate selected category item buttons for displaying said selected category items in said selected open fields on the debtor's computer screen (Figure 8 and 9A and column 13, line 1 thru 25 and column 13, line 48 thru column 14, line 15).

Claims 86, 94, 102 and 110, Chiasson fails to teach the graphical representation of rows on the computer screen. Kitchen teaches the steps of enabling a display of rows of line items on the debtor's computer screen with each line item representing a transaction and having transaction data columns and a category item column wherein the transaction column has fields filled with said transaction data and said the category item column has an open field; upon the debtor activating a selected line item and then activating a selected category item button, enabling a display of the open field for the selected line item filled with the category item associated with the selected category item button (Figure 9C).

Regarding claims 87-89, 95-97, 103-105 and 111-113, Chiasson in view of Kitchen teaches the use of categories for labeling bills and viewing bills. Since these claims are

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interpreted as discussed above under the 35 U.S.C. 112, first paragraph rejection, these limitations have already been covered as discussed above.

Claims 90, 98, 106 and 114, Chiasson teaches that bills are for products or services purchases. Chiasson fails to show the graphical representation. Kitchen teaches displaying at least some of the sorted transactions on the debtor's computer screen which includes at least product or services purchased, amount paid for the product or services and date paid transaction data (Figure 9B and Figure 11 and Figure 13).

Claims 91, 99, 107 and 115, Chiasson in view of Kitchen teach approving the bill paying. Chiasson in view of Kitchen fail to teach enabling the display of an account balance in a monetary funding account with the monetary funding activity on the debtor's computer screen. Official Notice is taken that viewing account balances before paying bills is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Chiasson in view of Kitchen to allow for viewing the account balance before paying the bills because it allows a check to see if there is sufficient funds to cover the bill amount.

Conclusion

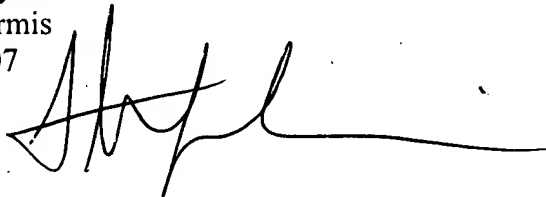
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
Stefano Karmis
23 July 2007

A handwritten signature in black ink, appearing to read 'Stefano Karmis', with a long horizontal line extending to the right.